


- E-4 Authorized the advertisement for transportation services for the Junior Giants on August 7, 2004, and authorized use of buses should no alternate provider be willing to perform the service.
- E-5 Adopted Resolution No. 2004-141 approving specifications and authorizing advertisement for bids for low-voltage fuses, fuse holders, and wire and authorizing the City Manager to award the bid up to \$40,000.
- E-6 Adopted Resolution No. 2004-142 authorizing the purchase of software for the Public Works Fleet Services Division from Ron Turley Associates, Inc., of Phoenix, Arizona, in the amount of \$14,535.
- E-7 Accepted the improvements under the "Well 10C Site Improvements, 790 North Guild Avenue" contract.
- E-8 Accepted the improvements under the "Main Street Storm Drain Improvement Project (Lodi Avenue to Flora Street)" contract.
- E-9 Adopted Resolution No. 2004-143 authorizing the City Manager to allocate Public Benefit Program funds in the amount of \$25,000 to extend for one year the Lodi Small Business Energy Services Partnership.
- E-10 Set public hearing for August 4, 2004, to consider the Planning Commission's recommendation of approval of the request of KB Home for a rezone from R-MD, Residential Medium Density, to PD(36), Planned Development Number 36, for The Villas, an 80-lot medium-density, single-family residential subdivision located at 449 East Harney Lane.

F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

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- Robert Lauchland read a prepared statement (filed), in which he asked Council to direct staff to remove his family's vineyard property from the proposed White Slough Water Pollution Control Facility sphere of influence.

Mayor Hansen requested that the matter be placed on a future agenda for consideration.

Council Member Hitchcock suggested that Mr. Lauchland's concerns be included in the draft Environmental Impact Report (EIR) comments being compiled by Community Development and that it be considered at that time.

Community Development Director Bartlam reported that the draft EIR public comments have been concluded; however, comments are taken through the Planning Commission and City Council processes. He anticipated that the matter would be before the Planning Commission in late August and to Council at the first meeting in September.

G. PUBLIC HEARINGS

- G-1 Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hansen called for the public hearing to consider an appeal received from Key Advertising, Inc., regarding the Planning Commission's decision to deny the request of Key Advertising for a Use Permit to allow a 75-foot-high electronic display sign and a Variance to double the maximum allowable sign area from 480 square feet to 960 square feet to be located at 1251 South Beckman Road.

MOTION / VOTE:

The City Council, on motion of Council Member Land, Beckman second, re-continued the subject public hearing to September 15, 2004, at the proponent's request, by the vote shown below:

Ayes: Council Members – Beckman, Hitchcock, Land, and Mayor Hansen

Noes: Council Members – None

Absent: Council Members – Howard

J.R. Lauchland & Sons Vineyards

3855 W. Turner Rd.
Lodi, CA 95242
209-368-2613
winegrwr@aol.com

filed 7-21-04
Item F

July 17, 2004

Hon. Larry Hansen
Lodi City Council
221 W. Pine St.
Lodi, California 95240

Dear Mayor Hansen,

My brother Richard and I are fourth generation Lodi grape growers and we own a 145 acre cabernet sauvignon, pinot grigio, and chardonnay vineyard in which everything we have is invested. Our vineyard is included in the most ambitious of the City of Lodi's proposed sphere of influence alternatives for the City's wastewater treatment facility. I am asking the City Council tonight to direct staff to remove our property from the proposed sphere of influence for the following reasons.

1) The City does not need to create a sphere of influence from its sewage treatment plant to acquire lands for sewage disposal. The City needs to buy or lease land at fair market value like everyone else. A sphere of influence from the treatment plant requires by State law that the land within could only be used for sewage disposal. This would dramatically reduce property values for landowners within the sphere. This constitutes a regulatory taking of property value from our land which our family would seek to recover from the City of Lodi. Zoning laws were not established to allow municipalities to devalue others property so that they might acquire land more cheaply.

2) The most far reaching sphere alternative includes our property, reaching three miles across DeVries and Thornton Roads to Davis Road, southeast of the City's sewage facility bringing our vineyard into use as a sewage disposal site. Our vineyard is less than a mile from the City of Stockton. In confidence City of Lodi staff has told me it was clearly done to affect planning efforts by the City of Stockton, and described as a "land grab". Land to the west of the treatment plant cannot be developed, is closer to the plant facility, buffered from other land uses, and would be cheaper for the City to acquire. However these lands don't serve the purpose of affecting Stockton's planning and are not being fully considered.

3) Sewage water generated from the Lodi treatment plant by law cannot be used to irrigate crops for human consumption. Lodi's waste water cannot not be placed on vineyards.

4) If the City were to one day improve treatment so that treated sewage could be placed on crops for human consumption, which I understand is very expensive, it still could not be placed on a vineyard. The stigma of trying to sell winegrapes irrigated with treated sewage could not be overcome. Wineries would not purchase such fruit under any

circumstances. The efforts of the Lodi Woodbridge Winegrape Commission to enhance our region's reputation for quality wine grapes would be greatly compromised. In the past several years quality winegrapes irrigated with pure water went unsold and unharvested because of market conditions. Additionally, the higher level of treatment would preclude the need for land to dispose of sewage. Lodi could then confidently discharge the higher quality water as do most other communities.

5) Our existing winegrape contracts require farming practices that include deficit irrigation through an underground drip irrigation system. I have vineyards in production that I have not irrigated this year. A vineyard cannot take treated sewage water in an amount to be of use to the City and would not produce marketable wine grapes if used for sewer disposal. Landowners taking sewage water from the City of Lodi this year were forced to take more water than crops could tolerate destroying row crops. Grapevines are much more sensitive in terms of irrigation.

An inclusion of our vineyard is a death sentence for our vineyard operation. Please direct staff at your next opportunity to exclude my family's vineyard from consideration as a sewage disposal site.

Finally, I am offended by the characterization of my family's efforts to preserve our vineyard operation by Rad Bartlam your community development director as "seeking a bigger payday" and "not an ag preservation" effort as quoted in the July 16, 2004 Lodi News-Sentinel. For the past several months I have served on Lodi's Greenbelt Task Force with Councilwoman Hitchcock. City staff support is provided by Mr. Bartlam. Not once was it mentioned to me that the City would be considering my vineyard within its sphere of influence proposal for the sewage treatment plant. No notice was made to property owners, even as a courtesy to inform them of the City's plans. This whole effort regarding the sewage treatment plant smacks of a sneaky, poorly thought out attempt to thwart Stockton's planning efforts. I believe the effects of the plan on my family were either not fully considered or disregarded as an acceptable loss. Anyone with an active conscience could not allow this.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. Lauchland".

Robert Lauchland
JR Lauchland and Son's Vineyards